

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

EDWARD BRAGGS, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	2:14cv601-MHT
	)	(WO)
JEFFERSON S. DUNN, in his	)	
official capacity as	)	
Commissioner of	)	
the Alabama Department of	)	
Corrections, et al.,	)	
	)	
Defendants.	)	

OPINION AND ORDER REGARDING HOSPITAL-LEVEL  
CARE AND DEATH-ROW INMATES

At a hearing in open court on June 13, 2018, the parties agreed that, pursuant to this court's order for an interim measure regarding hospital-level care and the "*Vitek* issue" (doc. no. 1678), the Alabama Department of Corrections (ADOC) already provides notice to counsel for plaintiffs when an inmate is scheduled to receive hospital-level care, and that such notice is provided with sufficient time for counsel to consult with the inmate and raise any objections prior

to transfer; plaintiffs' counsel agreed that, when they receive this notice about an inmate who is subject to a death sentence, they would immediately pass this notice on to counsel for that inmate so that that inmate may object if he or she wants; and counsel for the Equal Justice Initiative and the Federal Defenders agree that, with these understandings, they do not object to death-row inmates participating in hospital-level care provided by ADOC pursuant to these proceedings.

Accordingly, it is ORDERED that death-row inmates do not opt out of the hospital-level care provided by the Alabama Department of Corrections pursuant to these proceedings.

Counsel for plaintiffs are to arrange for appropriate representatives of the Equal Justice Initiative and the Federal Defenders to receive copies of this order.

DONE, this the 14th day of June, 2018.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE